

Maryland Judicial Ethics Committee

Opinion Request Number: 1974-01

Date of Issue: April 3, 1974

O Published Opinion **G** Unpublished Opinion **G** Unpublished Letter of Advice

Photograph of Judge in Judicial Robes May Be Used in Judge's Election Campaign

The Judicial Ethics Committee has considered the question raised in your letter of March 20: whether there is any impropriety in the use of campaign literature, newspaper and other publicity published in behalf of candidates for election or re-election to judicial office, of photographs of the candidates in their judicial robes.

The Committee is of the opinion that the use of such photographs is neither prohibited nor limited by any Canon or Rule and would seem to be sanctioned by custom. We are mindful of Informal Opinion No. 486, dated December 26, 1961, of the American Bar Association's Standing Committee on Professional Ethics, the thrust of which is that a judge should not use or permit others to use the power or prestige of his office to promote his candidacy for re-election. It is our view that the use of such photographs by a citizens' group which is endorsing the election or re-election of sitting judges does not come within the ambit of this opinion so long as the photographs are photographs of individuals and not of the group.